IN THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Claims 1-4 have been amended and claims 5-18 have been added as follows:

Listing of Claims:

Claim 1 (currently amended): An imaging device, comprising:

an imaging element [[(2)]] driven in a thinning read-out mode for reading out signal charges from a subset of pixels, or in an all-pixels read-out mode for reading out signal charges from all pixels,

wherein if moving images are picked up by driving the imaging element [[(2)]] in the thinning read-out mode, a series of first image data that is obtained by reading out signal charges repeatedly from the subset of pixels and that constitutes the moving images is processed and recorded, and a portion of the first image data is processed and recorded as a still image when an instruction to pick up the still image is given while picking up the moving images, and

wherein if moving images are picked up by driving the imaging element [[(2)]] in the all-pixels read-out mode, a series of second image data that is obtained by reading out signal charges repeatedly from all of the pixels and that constitutes the moving images is processed and recorded after the number of pixels of the second image data is thinned, and a portion of the second image data is processed and recorded as a still image without thinning when an instruction to pick up the still image is given while picking up the moving images.

Claim 2 (currently amended): The imaging device according to claim 1, ~~comprising:~~

~~a moving image processing portion (10) for processing the first image data without thinning when the imaging element (2) is driven in the thinning read-out mode, and for processing the second image data after the number of pixels of the second image data has been thinned when the imaging element (2) is driven in the all-pixels read-out mode, and~~

~~a still image processing portion (24) for receiving an input of the first or second image data for one frame that is to be recorded as a still image, and for processing the input first or second image data without thinning when an instruction to pick up the still image is given while picking up moving images,~~

~~wherein the processing of the image data by the still image processing portion (24) is performed in parallel with the processing of the image data by the moving image processing portion (10)~~ wherein the number of pixels of the second image data is thinned to the same number of pixels of the first image data.

Claim 3 (currently amended): The imaging device according to claim 1 [[or 2]],

wherein the ~~number of pixels of the second image data is thinned to the same number of pixels of the first image data~~ imaging element is driven in progressive scan mode.

Claim 4 (currently amended): The imaging device according to ~~any of claims 1 to 3, wherein the imaging element is driven in progressive scan mode~~ claim 1, comprising:

a release button for starting an operation of picking up a still image, and

a moving image pick-up button for starting an operation of picking up moving images,

wherein if the release button is pressed in addition to the moving image pick-up button while moving images are picked up, the imaging device also picks up a still image in parallel with the operation of picking up the moving images.

Claim 5 (new): The imaging device according to claim 1,

wherein the frame rate of the series of the first image data is higher than that of the series of second image data.

Claim 6 (new): The imaging device according to claim 5,

wherein the frame rate of the series of the first image data is 30 fps and the frame rate of the series of the second image data is 15 fps.

Claim 7 (new): The imaging device according to claim 1,

wherein the series of the first image data and the series of the second image data are compressed in accordance with MPEG standard and recoded in the form of moving images.

Claim 8 (new): The imaging device according to claim 1,

wherein the portion of the first image data and the portion of the second image data are compressed in accordance with JPEG standard and recoded in the form of a still image.

Claim 9 (new): The imaging device according to claim 1, comprising:

a moving image processing portion for processing the first image data without thinning when the imaging element is driven in the thinning read-out mode, and for processing the second image data after the number of pixels of the second image data has been thinned when the imaging element is driven in the all-pixels read-out mode, and

a still image processing portion for receiving an input of the first or second image data for one frame that is to be recorded as a still image, and for processing the input first or second image data without thinning when an instruction to pick up the still image is given while picking up moving images,

wherein the processing of the image data by the still image processing portion is performed in parallel with the processing of the image data by the moving image processing portion.

Claim 10 (new): The imaging device according to claim 9, comprising:

a CPU for controlling components of the imaging device, and

select buttons for switching the moving image pick-up modes,

wherein the CPU controls the moving image processing portion and still image processing portion in accordance with the operation mode selected with the select buttons.

Claim 11 (new): The imaging device according to claim 9, comprising:

a CPU for controlling components of the imaging device, and

select buttons for switching the moving image pick-up modes,

wherein the CPU switches the driving pulses sent to the imaging element in accordance with the operation mode selected with the select buttons.

Claim 12 (new): The imaging device according to claim 9,

wherein the number of pixels of the second image data is thinned to the same number of pixels of the first image data.

Claim 13 (new): The imaging device according to claim 9,

wherein the imaging element is driven in progressive scan mode.

Claim 14 (new): The imaging device according to claim 9, comprising:

a release button for starting an operation of picking up a still image, and

a moving image pick-up button for starting an operation of picking up moving images,

wherein if the release button is pressed in addition to the moving image pick-up button while moving images are picked up, the imaging device also picks up a still image in parallel with the operation of picking up the moving images.

Claim 15 (new): The imaging device according to claim 9,

wherein the frame rate of the series of the first image data is higher than that of the series of second image data.

Claim 16 (new): The imaging device according to claim 15,

wherein the frame rate of the series of the first image data is 30 fps and the frame rate of the series of the second image data is 15 fps.

Claim 17 (new): The imaging device according to claim 9,

wherein the series of the first image data and the series of the second image data are compressed in accordance with MPEG standard and recoded in the form of moving images.

Claim 18 (new): The imaging device according to claim 9,

wherein the portion of the first image data and the portion of the second image data are compressed in accordance with JPEG standard and recoded in the form of a still image.